



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:) Group Art Unit: 1651
Ching-Hsiang Hsu et al.) Examiner: D. Ware
Serial No.: 10/808,503)
Filed: March 25, 2004)
For: NOVEL MICROORGANISM STRAIN GM-080 OF)
LACTOBACILLUS PARACASEI AND ITS USE)
FOR TREATING ALLERGY RELATED DISEASES) Docket No. 001409.00012

DECLARATION REGARDING MICROORGANISM DEPOSITS

Commissioner of Patents
c/o Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

GenMont Biotech, Inc., Tainan County, Taiwan, R.O.C. is the owner of the invention described in patent application U.S. Serial No. 10/808,503, filed March 25, 2004, and entitled "Novel Microorganism Strain GM-080 of *Lactobacillus paracasei* and Its Use for Treating Allergy Related Diseases" by virtue of an assignment from the inventors recorded at the U.S. Patent and Trademark Office at reel 014143, frame 0062;

I declare on behalf of GenMont Biotech, Inc., that:

1. The strain known as *Lactobacillus paracasei* GM-080 has been deposited at the China Center for Type Culture Collection, Wuhan University, Wuhan 430072, P.R. China, on February 19, 2004;
2. The strain was given the accession number CCTCC M 204012 by the CCTCC;
3. The aforementioned strain was deposited and accepted by the CCTCC under the terms of the Budapest Treaty;
4. All restrictions upon public access to the deposit will be irrevocably removed

upon the granting of a patent on the application named above;

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 2005, 3, 7

By: Hsu Ching-Hsiang

Office of person signing within GenMont Biotech, Inc.: Hsu Ching-Hsiang
Typed name of person signing: Hsu Ching-Hsiang